

Cavitt Creek Road-Related Restoration

Decision Record / Notice

An Interdisciplinary (ID) Team of the Swiftwater Field Office, Roseburg District, Bureau of Land Management has analyzed the proposed **Cavitt Creek Road-Related Restoration** project. This analysis and the "Finding of No Significant Impact" (FONSI) was documented in Environmental Assessment (EA) No. OR-104-01-10. The thirty day public review and comment period was completed on December 27th, 2001. One letter with comments was received as a result of public review.

This project occurs on both BLM and US Forest Service land. This proposal is in conformance with the *"Final - Roseburg District Proposed Resource Management Plan / Environmental Impact Statement (PRMP/EIS)* dated October 1994 and its associated *Roseburg District Record of Decision and Resources Management Plan (RMP)* dated June 2, 1995. This project also is in conformance with *The Land and Resource Management Plan for the Umpqua National Forest* (October 5, 1990), as amended.

The EA analyzes the implementation of the "Proposed Action Alternative". The proposed action involves road related restoration work in the Cavitt Creek area of the Little River Adaptive Management Area (AMA). The goal of the proposed project is to reduce existing and minimize future sediment input into streams to improve fish habitat and water quality.

Decision

It is our decision to implement the Proposed Action Alternative as outlined in the EA (Section II, pg. 7) that includes road decommissioning, road treatments and culvert replacements or removals. The bulk of this work will be accomplished as funding becomes available through regular budgeting processes and opportunities to match funds through grants and other funding organizations.

The EA analyzed the decommissioning of Forest Service Road 2500-480. A comment received during public review pointed out that this action would limit access to Cultus Lake by recreationists. This portion of the proposal is therefore withdrawn from this decision. This decision does not preclude future decommissioning of this road under subsequent analysis. It is our determination that this change would not result in environmental effects beyond those analyzed in the EA; therefore, additional analysis would not be necessary and the analysis described in the EA is adequate.

The project design features for this alternative are listed on pages 8-10 of the EA. These features have been developed into contract stipulations and will be implemented as part of the road improvement contract.

The following specifics should be noted as the result of project design:

- 1). Decommissioning of approximately 0.4 mile of permanent road.
- 2). Seven miles of road treatments (drainage structures, ditches, numerous slides, etc.).
- 3). Replacement or repair of 16 stream crossing culverts to enhance fish passage and restore hydrologic function.
- 4). Three sites of road treatment (areas of major cut and fill failures)

Decision Rationale

The Proposed Action Alternative meets the objectives for lands in the Little River AMA and Riparian Reserve Land Use Allocations and follows the management actions/directions set forth in the "*Roseburg District Record of Decision and Resources Management Plan*" (RMP), and the Standards and Guidelines for the "*Final Supplemental Environmental Impact Statement (FSEIS) on Management of Habitat for Late-Successional and Old Growth Forest Related Species Within the Range of the Northern Spotted Owl*" (Feb. 1994) and the Record of Decision (ROD) for that plan dated April 13, 1994 and *The Land and Resource Management Plan for the Umpqua National Forest* (October 5, 1990) as supplemented by the NFP.

Section II of the EA describes two alternatives: a "No Action" alternative and a "Proposed Action" alternative. The No Action alternative was not selected because it does not meet the purpose and need of reducing existing road problems and minimizing future sediment input to streams (EA, pg. 5).

Cultural clearances have been completed according to protocol. No consultation was required.

Consultation with U.S. Fish and Wildlife Service for this project has been completed. The Biological Opinion (May 31, 2001) concluded that the action is " . . . not likely to adversely affect " the spotted owl, murrelet, or bald eagle.

The Programmatic Biological and Conference Opinion (July 12, 2001) has been received from the National Marine Fisheries Service (NMFS) and concluded that the action "is not likely to jeopardize the continued existence of . . . OC coho salmon, or OC steelhead."

This decision is based on the fact that the Proposed Action Alternative implements the Standards and Guidelines (S&Gs) as stated in the NFP and the Management Actions / Directions of the RMP and LRMP. The project design features as stated in the EA (pp. 8-10) would protect the Riparian Reserves, minimize soil compaction, limit erosion, protect slope stability, wildlife, air, water quality, and fish habitat, as well as protect other identified resource values. This decision recognizes that impacts will occur to these resources (EA pp. 13-18), however, the impacts to resource values are not considered significant and results in beneficial impacts to the environment by decreasing sediment and improving hydrologic conditions.

Comments were solicited from affected tribal governments, adjacent landowners and affected State and local government agencies. No comments were received from these sources. During the thirty day public review period, comments were received from one individual. None of the comments provided new information, showed flawed analysis our assumptions, or an error in data that would alter the conclusions of our analysis thereby requiring new analysis or reconsideration of the proposed action. Several comments warrant clarification:

- Forest Service Road 2500-480, proposed for decommissioning, provides access to Cultus Lake for recreationists. The EA does not reference Cultus Lake or the need for this access road. This oversight has resulted in inadequate public notification about this project. Was the intent of the EA to limit negative input from the public about this proposed road decommissioning?

Response: Public notification was provided for this proposal. This included notification to affected Tribal Governments; State, County and local government offices; adjacent landowners and other interested organizations including the Little River Committee; Umpqua Watersheds, Inc.; and Douglas Fires Protection Association. The general public was notified via the Roseburg District Planning Update (Summer, 2001) going to approximately 150 addresses and notices published or posted at the Glide Weekly newspaper, the Glide Store and the Peel Store. In addition, a notice of availability of the EA for a 30-day public review was published in the Roseburg News Review newspaper on November 27, 2001. The purpose of this public review was to provide an opportunity for the public to comment on the complete proposal. The EA does not mention Cultus Lake because it is not part of any proposed action. The EA does clearly mark Road 2500-480 for decommissioning. During the public notice and comment period, those members of the public who use this road have had the opportunity to provide comment.

The issue of recreation access, raised in this comment, is a legitimate concern. Upon review of the concern, the proposal to decommission Forest Service road 2500-480 is withdrawn.

- When a road is proposed for decommissioning, a road analysis is required by the USFS Washington Office. A roads analysis was not done for Road 2500-480. Without this analysis you do not have adequate information related to the recreational use of this road.

Response: This requirement only applies to decisions made after January 1, 2002. Originally, it was anticipated that the decision for the Cavitt Creek proposed action would be made prior to January 1, 2002. Since the proposal to decommission road 2500-480 has been dropped, this is now a moot point.

- There appears to be no scientific justification in the EA related to the need for decommissioning road 2500-480. What was the basis for this decision? Why don't you repair the road instead?

Response: An evaluation was completed for this road and is on file, although the details were not included in the EA. Based on concerns regarding public access for recreation, the proposal to decommission road 2500-48 has been dropped.

Compliance and Monitoring

Monitoring will be conducted as per the guidance given in the BMP checklist (EA Appendix C) and RMP (Appendix I).

Protest and Appeal Procedures

This decision is being issued jointly by the Forest Service and the Bureau of Land Management (BLM). The procedures for administrative review differ between the two agencies. Therefore, individual appeal (Forest Service) and protest (BLM) procedures are outlined below.

BLM: As outlined in the Code of Federal Regulations, 43 CFR 5003.3, “Protests of a forest management decision, ... may be made within 15 days of the publication of a notice of decision ... in a newspaper of general circulation (in this case, the Roseburg News-Review).” Protests shall be filed with the authorized officer (Jay K. Carlson) and shall contain a written statement of reasons for protesting the decision. Protests received more than 15 days after the publication of a notice of decision are not timely filed and shall not be considered. Upon timely filing of a protest, the authorized officer shall reconsider the decision to be implemented in light of the statement of reasons for the protest and other pertinent information available to him. The authorized officer shall, at the conclusion of his review, serve his decision in writing to the protesting party. “Upon denial of a protest ... the authorized officer may proceed with the implementation of the decision.”

FOREST SERVICE: In accordance with 36 CFR 215.7(a), this decision is subject to appeal. Any Notice of Appeal of this decision must be submitted in accordance with 36 CFR 215.13 and must meet the content requirements of 36 CFR 215.14. Appeals should be addressed to the Appeal Deciding Officer, Regional Forester Harv Forsgren, Attn: 1570 Appeals, USDA Forest Service, P.O. Box 3623, Portland, OR 97208-3623. Appeals must be received within 45 days of the date this decision is published in the Roseburg News-Review.

Contact Person – Bureau of Land Management: For further information, contact Jay K. Carlson, Swiftwater Resource Area, Roseburg District, Bureau of Land Management, 777 NW Garden Valley Blvd., Roseburg, OR 97470, (541)-440-4930.

Contact Person – Forest Service: For further information, contact Carol Cushing, District Ranger, North Umpqua Ranger District, Umpqua National Forest, 18782 North Umpqua Highway, Glide, OR 97443, (541)-496-3532.

JAY CARLSON
Field Manager

Date Signed

CAROL CUSHING
District Ranger

Date Signed